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**FACSIMILE COVER SHEET****TO:** Examiner C. Chaney**FROM:** Jason M. Okun**RE:** U.S. Patent Application No. 09/879,227  
Our ref. 3500.009574.5**FAX NO.:** 703-872-9306**DATE:** February 25, 2004**NO. OF PAGES:** 18  
(including cover page)**TIME:****SENT BY:****MESSAGE**

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03500.009574.5

PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
: Examiner: C. Chaney  
SOICHIRO KAWAKAMI ET AL. )  
: Group Art Unit: 1745  
Application No.: 09/879,227 )  
:   
Filed: June 13, 2001 )  
:   
For: HIGH ENERGY DENSITY )  
SECONDARY BATTERY FOR )  
FOR REPEATED USE ) February 25, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REPLACEMENT COPIES FOR AMENDMENT UNDER  
37 C.F.R. § 1.312 AND REQUEST FOR CONSIDERATION  
OF INFORMATION DISCLOSURE STATEMENT

Sir:

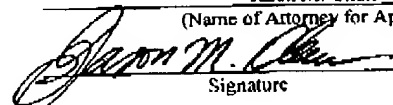
At the request of the Examiner in charge of the above-captioned application,  
Applicants have attached hereto replacement copies of the Amendment Under 37 C.F.R. §  
1.312 and the Request for Consideration of Information Disclosure Statement, both dated  
January 13, 2004 and filed on January 14, 2004 in the subject application.

The Examiner advised the undersigned on February 24, 2004 that the Patent  
Office had no record of any paper filed in the subject application on January 14, 2004. The  
Examiner asked that the papers filed on January 14, 2004 be resubmitted.

I hereby certify that this correspondence is being facsimile-transmitted to  
the U.S. Patent and Trademark Office at (703) 872-9306 on the date  
shown below:

February 25, 2004  
(Date of Transmission)

Jason M. Okun  
(Name of Attorney for Applicants)

  
Signature

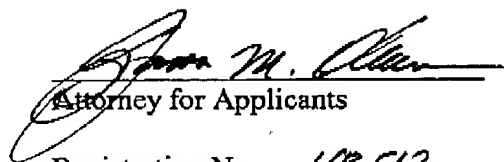
February 25, 2004  
Date of Signature

Accordingly, Applicants have attached hereto complete copies of the Amendment Under 37 C.F.R § 1.312 and the Request to Consider Information Disclosure Statement, together with previously filed attachments. Attachments to the Request include copies of the Second Information Disclosure Statement (IDS) filed on August 22, 2001 (with PTO-1449 forms) and the stamped returned receipt postcard, indicating that the IDS was received by the Patent Office on August 22, 2001. Also attached is a copy of the stamped returned receipt postcard, indicating that the above-mentioned Amendment and Request were filed on January 14, 2004.

Wherefore, the Office is requested to make the Amendment and the Request of record and to take further action based on these papers. In view of the fact that the Patent Office misplaced the originally filed Amendment and Request, it is respectfully requested that for the purpose of calculating the patent term adjustment period, the Amendment and the Request should be deemed to have been filed on the date of their re-submission.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

  
Attorney for Applicants

Registration No. 48,512

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## Commissioner for Patents

P.O. Box 1450  
Alexandria, VA 22313-1450Date 1.14.04Atty. Docket # 08722.0015745Application No. 07/177,207

Sir:

Kindly acknowledge receipt of the accompanying:

- ☐ Response to Official Action.
- ☐ Check for \$ \_\_\_\_\_ (claims fee)
- ☐ Petition under 37 CFR 1.136 and Check for \$ \_\_\_\_\_
- ☐ Notice of Appeal and Check for \$ \_\_\_\_\_
- ☒ Information Disclosure Statement, PTO-1449 and its stamped copies
- ☐ Claim for priority and certified copies of \_\_\_\_\_ priority applications
- ☐ Issue fee transmittal and Check for \$ \_\_\_\_\_
- ☒ Other (specify) Amendment under 37 CFR 1.312; Request to  
consider IDS
- by placing your receiving date stamp hereon and mailing or returning to deliverer.

Atty. JMODue Date 3.31.0437 CFR 1.8 ☐  
37 CFR 1.10 ☐  
By Hand ☒